

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John Mantegna et al Art Unit : 2155
Serial No. : 09/845,084 Examiner : David R. Lazaro
Filed : April 30, 2001 Conf. No. : 1606
Title : TEMPORAL DRIFT CORRECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DRL
2/6/2007

AMENDMENT IN REPLY TO ACTION OF JUNE 22, 2006

Please amend the above-identified application as follows:

Amendments to the claims are shown in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

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REPLY TO ACTION OF APRIL 5, 2006

Applicant asks that all claims be allowed in view of the following remarks. Claims 1-26 are pending, with claims 1, 10 and 17 being independent.

Claims 1, 3-5, 10, 12-14, 17, 19-21 and 24-26

Claims 1, 3-5, 10, 12-14, 17, 19-21 and 24-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen (U.S. Patent No. 5,825,771) in view of Borella (U.S. Patent No. 6,434,606 B1). Applicant requests withdrawal of the rejection because none of Cohen, Borella or any proper combination of the references describe or suggest the subject matter of the independent claims. For example, none of Cohen, Borella or any proper combination of the references describe or suggest determining a parameter that relates to and amplifies temporal drift based on a weighted comparison result and, based on the determined parameter, determining a number of samples to be inserted in or removed from a playback data block.

Independent claim 1 recites a method for temporal drift correction in a real-time electronic communication. The method includes measuring a size of a receiving data buffer and comparing the measured size of the receiving data buffer to a predetermined nominal data buffer size to produce a comparison result. The method includes weighting the comparison result. The method includes determining a parameter that relates to and amplifies the temporal drift based on the weighted comparison result and determining, based on the determined parameter, a number of samples to be inserted in or removed from a playback data block. The method also includes modifying the playback data block by inserting or removing a number of samples that is based on the determined number of samples.